TL4005

OMCT
OPERATING THE SOS-TORTURE NETWORK

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Case IDN/TMP 211197

The International Secretariat of OMCT request your urgent intervention in the following situation in **East Timor**

Brief description of the situation :

The International Secretariat has been informed by reliable sources of the grave concerns for the physical and psychological integrity of **Manuel Afonso (36)** and **Lino Xavier Nunes (24),** who are currently in detention at POLRES (Regional Police Headquarters) in Dili.

According to the information received , **Manuel Afonso** was arrested at 4.00am on 13 September at the Becora terminal in Dili by four POLRES intelligence agents, one of whom has been identified as Sergeant Lino do Rosario. It is feared that **Manuel Afonso** may have been arbitrarily detained solely for his political views as he was allegedly being persecuted, prior to his arrest, by the security forces for allegedly founding and leading a new clandestine resistance group.

It is believed he is being held under Articles 106 and 108 of the Indonesian Criminal Code (KUHP) for attempting to "separate part of the state " and for armed rebellion against the state and Articles 55, 56 and 110 of KUHP for planning and aiding the commission of a crime.

Lino Xavier Lunes was arrested on 30 July at the Chinese cemetery in Taibessi , Dili. According to the information received, **Lino Xavier Nunes** was allegedly arrested by a man called Mateus Antonio under suspicion of involvement in the alleged January 1997 killing of Mateus Antonio' son , a member of the GARDAPAKSI (Pro-Integration Youth Action Group). He is being held in relation to the murder under Articles 338, 170, 351(3) of KUHP.

According to the information received, both men have legal representation, but it is still unclear whether they have allowed access to their lawyers or family members.

The International Secretariat is gravely concerned for the physical and psychological integrity of **Manuel Afonso** and **Lino Xavier Nunes** and fears that they are at heightened risk of torture and ill-treatment especially id they are being denied access to independent legal council and contact with family members.

Action requested :

Please write to the Indonesian authorities urging them to :

i. guarantee the physical and psychological integrity of **Manuel Afonso** and **Lino Xavier Nunes** ; and ensure that they have access to their lawyers and family memebrs;

ii. order their immediate release in the absence of valid charges or if such charges exist , bring them before a competent and impartial civil tribunal and guarantee their procedural rights at all times ;

iii. to ensure in all circumstances the full respect of human rights and fundamental freedoms in accordance with national and international standards.

Addresses :

MINISTER OF JUSTICE M. Haji Utoyo Usman S.H., Menteri Kehakiman, JI. H.R. Rasuna Said Kav. 6-7, Kuningan, Jakarta Selatan, Indonesia. Fax : + 62 21 525 3095

MINISTER OF FOREIGN AFFAIRS, Ali Alatas S.H. Meneti Luar Negeri, Jl medan TamanPejambon No. 6 Jakarta, Imdonesia, Fax +62 21 360 541/360 517/380 5511/345 7782

CHIEF OF NATIONAL POLICE Maj. Gen. (Pol.) Banurusman Atmosumitro, Kapolri, Markas Besar Kepolisian RI, JI. Trunojoyo 13, Kebayoran Baru, Jakarta Selatan, Indonesia.
Telegrams : National Police Chief, Jakarta, Indonesia

SECRETARY GENERAL, NATIONAL COMMISSION ON HUMAN RIGHTS Prof. Dr. Baharuddin Lopa, Sekretaris Jenderal, Komisi Nasional Hak Azasi Manusia (Komnas HAM),Jl Latuharhary No 4 B, Menteng Jakarta Pusat , Indonesia. Phone/Fax : +62 21 392 5227 , Email : info@kommas. go. id

MILITARY COMMANDER REGION IX/UDAYANA (includes East Timor) General Syahrir MS Pangdam IX/Udayana Markas Besar KODAM IX/Udayana Denpasar, Bali INDONESIA Telephone: +62 361 228 095 Telegrams: Pangdam IX/Udayana, Denpasar, Bali, Indonesia

CHIEF OF POLICE FOR EAST TIMOR Colonel Atok Rismanto Kapolda Timor Timur Dili, East Timor INDONESIA Telegrams: Kapolda, Dili, East Timor

Geneva , 21 October 1997

Kindly inform us of any action undertaken quoting the code of this appeal in your reply .